

1 BARRY J. PORTMAN  
Federal Public Defender  
2 REBECCA SULLIVAN SILBERT  
Assistant Federal Public Defender  
3 555 - 12th Street  
Suite 650  
4 Oakland, CA 94607-3627  
Telephone: (510) 637-3500  
5  
6 Counsel for Defendant Adams  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-06-70380 WDB
	)	
12 Plaintiff,	)	<b>AMENDED STIPULATION AND</b>
	)	<b>ORDER CONTINUING DATE FOR</b>
13 vs.	)	<b>CHANGE OF PLEA</b>
	)	
14 STANLEY ADAMS,	)	Current Date: November 29, 2006
	)	Requested Date: December 20, 2006
15 Defendant.	)	
_____	)	
16		

17 Stanley Adams is charged in the Western District of Michigan with a violation of 18  
18 U.S.C. § 228(a)(1), a class B misdemeanor, for wilful failure to pay child support. Mr. Adams  
19 and the United States Attorneys' Offices in the Western District of Michigan and the Northern  
20 District of California have agreed that Mr. Adams will plead guilty in the Northern District of  
21 California pursuant to Federal Rule of Criminal Procedure 20. A plea agreement has been  
22 submitted to this Court, Mr. Adams has signed the Consent to Transfer, and the Western District  
23 of Michigan has received all the necessary paperwork. However, the transfer was delayed  
24 because the original file in Michigan had inadvertently remained under seal. The parties expect  
25 that the file will be transferred to the Northern District of California within two weeks. Mr.  
26 Adams is in a week-long training program at his job, and his employer has indicated that it

1 cannot reschedule the training. The training is necessary for Mr. Adams' continued  
2 employment. Therefore, the parties jointly request that the next appearance be continued to  
3 Wednesday, December 20, 2006 at 10:00 a.m. for change of plea.

4 To the extent that Mr. Adams has a right to be charged by Information or Indictment  
5 within 20 days under Federal Rule of Criminal Procedure 5.1, Mr. Adams consents to waive that  
6 right, and requests that the Court extend the time for him to be charged by Information or  
7 Indictment. Such a continuance would be for good cause for the reasons described above. In  
8 addition, Mr. Adams and the government stipulate that time should be excluded under the  
9 Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and (B)(iv), because additional time is needed for  
10 effective preparation of counsel, taking into account the exercise of due diligence, due to the  
11 delays in transfer and Mr. Adams' unavailability.

12  
13 SO STIPULATED.

14 /S/

15 Date: 11/28/06

\_\_\_\_\_  
Rebecca Sullivan Silbert  
Assistant Federal Public Defender

17 /S/

18 Date: 11/28/06

\_\_\_\_\_  
Michelle Morgan-Kelly  
Assistant United States Attorney

20 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
21 "conformed" signature (/S/) within this e-filed document.

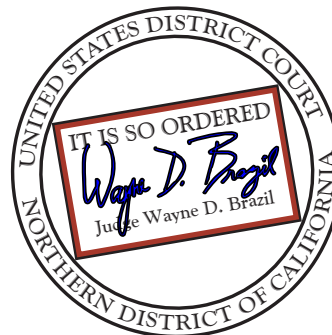
22  
23 Based on the reasons provided in the stipulation of the parties above, the Court hereby  
24 FINDS that the ends of justice served by the continuance requested herein outweigh the best  
25 interest of the public and the defendant in a speedy trial because the failure to grant the  
26 continuance would deny the counsel for the defendant the reasonable time necessary for effective

1 preparation, taking into account the exercise of due diligence. The Court makes this finding  
2 because the file has not yet been transferred to the Northern District of California from Michigan  
3 and because of Mr. Adams' unavailability.

4 Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter  
5 is continued to December 20, 2006 at 10:00 a.m., and that time is excluded from November 29,  
6 2006 to December 20, 2006, pursuant to 18 U.S.C. §§3161(h)(8)(A) and (B)(iv). It is further  
7 ordered that good cause exists to continue the time for indictment or information.

8 IT IS SO ORDERED.

9  
10 Date: November 29, 2006



11  
12  
13  
14 Honorable Wayne D. Brazil  
15 Magistrate Judge, United States District Court  
16 Northern District of California  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26